

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE COMMISSIONER OF HUMAN SERVICES

In the Matter of the Denial of the Child
Foster Care License of Raymond
Jallah and Phebe Koha

PROTECTIVE ORDER

Upon the request of the Department of Human Services, Licensing Division, and Sherburne County Social Services, and pursuant to Minn. Stat. §§ 13.03, subd. 6, and 14.60, subd. 2, and Minn. R. 1400.6700, subp. 4, it is ordered that:

1. Disclosure of not public data is permitted in the course of this matter, but is limited to parties, counsel of record, employees assisting counsel, and representatives and witnesses of the parties to the extent necessary to prepare and present claims and defenses.

2. Raymond Jallah and Phebe Koha and their counsel and representatives or witnesses may not disclose any data encompassed by this order to persons other than those mentioned above, and must return all data released pursuant to this order to counsel for the Department at the conclusion of this matter.

3. Notwithstanding Minn. Stat. § 13.46, subds. 3 or 4(e), data identifying victims or witnesses who are children shall not become public data by virtue of having been submitted in this proceeding and shall remain not public after the conclusion of this hearing. In preparation for and during the hearing, the parties may refer to names of individuals involved and will have access to private information. Unless the Administrative Law Judge determines that it is in the best interest of the alleged victims or witnesses who are children, the record will not be sealed. The Administrative Law Judge's Recommendation and the Commissioner's Order shall use non-identifying initials or aliases in place of the names of any alleged victims and witnesses who are children.

4. The hearing in this matter is presumed open. If there is testimony by an alleged victim or witness who is a child, that portion of the hearing shall be closed. If a transcript is ordered, the names of the alleged victim s and witnesses who are children shall be redacted and replaced by non-identifying initials or aliases.

5. The data encompassed by this order may be used only in this proceeding and not for any other purpose, including collateral litigation, unless otherwise ordered by a district court.

6. This protective order does not authorize the disclosure of the identity of reporters of maltreatment under Minn. Stat. §§ 626.556, subd. 11, or 626.557, subd. 12b(c).

Dated: July 30, 2008

s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY
Administrative Law Judge